IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 4550 OF 2007
IN
APPEAL NO. 905 OF 2003
FROM
SHOW CAUSE NOTICE NO.222/ 2002
IN
Company PETITION NO.94/2002
IN
W.P.No.2600/2001

Shri A.B.Narode .. Appellant.

V/s.

Dayabhai Shambhu Gala & Ors. .. Respondents.

Mr.Dushant Kumar i/by I.C.Legal for the Appellant.

None for the Respondents.

Mr.Shekhar Ingawale, AGP for the State.

CORAM : DR. S. RADHAKRISHNAN &
SRI ANOOP V. MOHTA, JJ.

DATED : 14TH DECEMBER, 2007

P.C. :-

. Heard learned counsel for the Appellant. None appears for the Respondents though served. Affidavit of service on the Respondents is filed. The same is taken on record.

2. The Appellant is seeking recall of the order dated 28th November, 2007. Perused the affidavit in support of the notice of motion. For the reasons stated

in the said affidavit, sufficient cause is made out by the appellants for recall of the said order. There is no case of inaction, negligence or want of bonafide on the part of the Appellants. Hence, the Notice of Motion is made absolute in terms of prayer clauses (a) and (b).

3. Appeal be placed on board for final hearing on 14th of January, 2008.

(ANOOP V. MOHTA, J) (DR.S.RADHAKRISHNAN,J.)

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